

DEVELOPMENT AND CONSTRUCTION MANAGEMENT PLAN

December 29, 2011

901 Monroe Street, LLC (the “**Applicant**”) seeks to mitigate any adverse impact on the surrounding neighborhood resulting from construction activity related to the Applicant’s plans to construct a planned unit development consisting of approximately 205-220 residential units and approximately 12,720 square feet of retail use (the “**Project**”). The Project is proposed for the 60,000 square foot property that includes Lots 3, 4, 11, 22 and 820 in Square 3829 (the “**Property**”). The Property is bound by Monroe Street, NE to the north, 10th Street, NE and row houses to the east, Lawrence Street, NE to the south, and 9th Street, NE to the west. The Applicant will submit this Development and Construction Management Plan (the “**Plan**”) to the Zoning Commission and will request that the Zoning Commission include compliance with this Plan as a condition of approval in Zoning Commission Case No. 10-28.

1. Communication.

a. **Applicant’s Representative.** The Applicant shall designate a representative to be the key contact during the period of construction of the Project for interaction with the owners of property within 200 feet of the Property, Advisory Neighborhood Commission (“**ANC**”) 5A, and the Brookland Neighborhood Civic Association (“**BNCA**”).

The Applicant’s representative (the “**Representative**”) will have a local office and will be accessible during all business hours. At any time construction activity is occurring on the Property, the Representative or his/her designee shall be available on-site or by telephone to receive communications from the surrounding community. The name and work telephone number of the Representative or his/her appointed designee shall be conspicuously posted on a large bulletin board on the Property and shall be readily available to members of the community. The bulletin board will also be used to provide notice to the community of upcoming

construction activity on the Property. In addition, a name and telephone number of a person designated by the Applicant to contact in case of emergency during hours in which no construction activity is occurring shall be readily available to members of the community.

b. **Duties of the Applicant's Representative.** The Representative and his/her designee will be able to answer questions and receive comments about the site activities, address any concerns members of the community might have throughout the construction process, and have authority to remedy promptly violations of this Plan and enforce its provisions. The Representative, designee and emergency contact shall:

- (i) Receive notice of violations of this Plan;
- (ii) Provide notice to the surrounding community of any anticipated public space work (limited street or sidewalk closures) that may impact pedestrian or vehicular circulation around the Property;
- (iii) Respond as soon as possible, to the person who has reported the violation, and to the Neighborhood Contact Person (described below); and
- (iv) Act to remedy the violation as soon as possible.

c. **Resume Bank.** The Applicant will work with the District of Columbia Department of Employment Services (“DOES”) to maintain a resume bank for members of the community to submit resumes for potential employment on this Project and future projects in the District of Columbia and surrounding jurisdictions. The Applicant encourages the submission of resumes of architects, engineers, project managers, marketing, public relations, community relations, and real estate professionals, in addition to applications for tradespersons and construction workers.

d. **Neighborhood Contact Person.** The Applicant will work with representatives of ANC 5A, residents of 10th Street, NE whose homes are adjacent to the development site, residents of the 900 block of Lawrence Street, NE and the BNCA, to designate a single contact

person (“**Neighborhood Contact Person**”), who may change from time to time, to represent the surrounding community. The initial Neighborhood Contact Person shall be designated by the community and will be determined prior to the start of construction activity on the Property. The Neighborhood Contact Person will receive and disseminate information from the Applicant to the community. The Applicant shall provide to the Neighborhood Contact Person, and keep updated, the names of and pertinent information about the Representative, the designee and emergency contact, including their home phone numbers and beeper numbers, as appropriate. In the event that a single Neighborhood Contact Person cannot be agreed upon, the Applicant shall provide the information described in this Plan to the ANC 5A Single-Member District Commissioner for the Property and to the President of the BNCA.

2. **Construction.** The Applicant shall require that all of their personnel and vendors, including supply and service vendors, will comply with all applicable District of Columbia Municipal Regulations applicable to hours of work, noise, dirt, trash, and public health and safety. The following is a discussion of construction-related issues and shall be binding on the Applicant, its general contractor and all subcontractors.

a. **Permits.** The Applicant will secure all permits that are required to complete the Project. All plans and permits will be on-site as required under the DC Construction Code.

b. **Site Management.**

- (i) The Applicant will **not** use the existing alley in Square 3829 for construction-related access to the Property or for the staging or storing of any construction materials to be used in the development of the Project.
- (ii) The Applicant will erect and maintain construction fencing and barricades in order to screen and secure the site during the construction process. The Applicant and its contractors will work with community members and the

Department of Consumer and Regulatory Affairs to maintain temporary storm water management systems throughout the Project's construction until such time as the permanent facilities are constructed, approved and functioning so that there shall be no adverse water impacts on the adjacent neighborhood, and specifically the adjacent homes on 10th Street, NE.

- (iii) A minimum amount of lighting, directed away from residential properties, will be provided on the Property at night. These lights will be sufficient to provide necessary security and to comply with District of Columbia safety standards.

c. **Cleanliness.** The Applicant will remove rubbish and construction debris continuously during the construction period during the normal construction workday. In addition, the Applicant will monitor and police the construction site daily or more often as required to ensure cleanliness. The Applicant will also undertake a program of pest control to ensure that no increase in pest activity occurs during the construction period. All excavation or back fill trucks will be covered before proceeding from the Property onto city streets. Dust and debris will be removed from the Property on an as needed basis.

d. **Work Hours.**

- (i) The normal construction work week will be Monday through Friday from 7:00 a.m. until 7:00 p.m., and Saturday from 8:00 a.m. until 4:00 p.m. No construction activity will occur on Sundays. All trucks for delivery of materials, construction or otherwise, will arrive, depart and operate on the Property only during the foregoing hours. There will be no queuing of construction related vehicles on the adjacent streets prior to the stated work hours.

- (ii) The Applicant will make good faith efforts to limit work that could disturb the residents of the adjacent neighborhoods to weekdays, except where limitations on work during the week require work on Saturdays to meet the requirements of construction teams for a 40 hour work week.

e. **Contractors and Subcontractors.** The Applicant will require that all contractors and subcontractors be contractually required to follow the terms of, and comply with, the policies set forth in this Plan. The Applicant will also require that all contractors and subcontractors use only licensed vehicles and drivers and they comply with all DC traffic laws and regulations.

f. **Traffic, Loading, and Parking.**

- (i) Specific truck queuing and routing will be worked out with the DC Department of Transportation and adjacent property owners during the public space permit review process of the Applicant's Traffic Control Plan.
- (ii) The Applicant will use its best efforts to ensure that construction related traffic will not travel on 10th Street, NE south of the proposed east-west loading internal entrance and exit alley provided on the Property. A flagperson will be assigned to expedite movement of construction related traffic, if any consistent traffic backups occur on any of the streets adjacent to the Property.
- (iii) Parking for construction workers will be provided in the parking lot located in the Lawrence Street, NE right-of-way, west of 9th Street, NE, which is currently used as a parking lot for the Col. Brooks restaurant. No construction related parking will be permitted on the adjacent

neighborhood streets, except for those portions of the western side of 9th Street, NE that are not adjacent to residential uses.

3. **Pre and Post-Construction Surveys.** Prior to commencement of the excavation work on the Property, the Applicant will seek consent from all property owners in the immediate vicinity of the Property to have their property and all improvements on their property thoroughly surveyed by an independent professional. The surveys will include video evidence of the condition of each surveyed property. After substantial completion of the excavation and construction work on the Property, a final survey of each property (with video evidence) will be undertaken by the same independent professional. The surveys are intended to provide the parties a reference point from which to determine the effect, if any, that excavation and construction activity on the Property had on neighboring properties. The surveys will be performed at the Applicant's sole cost and expense. Each survey report shall be provided to the Applicant and to the appropriate property owner.